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Date of Deposit: August 2, 2002  
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Arlington, VA 22202

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*Bonnie S. Sheridan*

**PATENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Dykstra et al.

**Serial No.: 10/044,315**

Group Art Unit: 1633

Filed: January 11, 2002

Docket No.: 421/60/18/2

Confirmation No.: 6772

For: COMPOUNDS, METHODS AND COMPOSITIONS USEFUL FOR THE  
TREATMENT OF BOVINE VIRAL DIARRHEA VIRUS (BVDV) INFECTION AND  
HEPATITIS C VIRUS (HCV) INFECTION

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**PRELIMINARY AMENDMENT AND RESPONSE TO NOTICE TO COMPLY WITH  
REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE  
SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

The U.S. Patent and Trademark Office  
Box Sequence, P. O. Box 2327  
Arlington, VA 22202

Sir:

Responsive to the "Notice to Comply with Requirements for Patent Applications  
Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures" dated  
December 7, 2001, and having a period for response that expired on March 14, 2002,  
applicants respectfully submit the following. A petition to extend the response period to  
August 14, 2002 is enclosed.

**AMENDMENTS**

Please delete the sequence listing of the application as filed and insert in place  
thereof the sequence listing attached herewith.

**REMARKS**

The specification of the subject U.S. Patent Application has been amended by  
deleting the Sequence Listing as filed and inserting in place thereof the accompanying  
substitute Sequence Listing. The contents of the enclosed substitute paper and the  
enclosed computer readable copies of the Sequence Listing are the same. Pursuant to  
37 C.F.R. § 1.821, no new matter has been added. A copy of the Sequence Listing  
Error Report is also enclosed. Applicants submit that this Response with accompanying

documents places the application in compliance with the rules governing nucleotide and/or amino acid sequence disclosure as set forth in the most current version of 37 C.F.R. §§ 1.821-1.825.

Support for the Amendment to the specification is found in the originally filed paper copy of the Sequence Listing, as well as throughout the application, notably on page 30, paragraph 00169.

Summarily, the Sequence Listing has been updated to explain the source of the genetic material described in the Sequence Listing. The substitute paper copy of the Sequence Listing includes no new matter in accordance with 37 C.F.R. §§ 1.821-1.825.

The content of the paper and the computer readable forms of the Sequence Listing is the same, as required by 37 C.F.R. §§ 1.821-1.825. A statement to this effect is also enclosed.

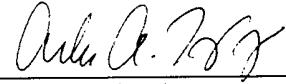
The Commissioner or his representative is invited to contact the undersigned for clarification of this correspondence as necessary. The Commissioner is hereby authorized to charge any deficiencies of payment associated with the filing of this correspondence to Deposit Account No. 50-0426.

Respectfully submitted,

JENKINS & WILSON, P.A.

Date: 08/02/2002

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Enclosures